

RECEIVED
CENTRAL FAX CENTER
JUL 06 2009

CERTIFICATE OF TRANSMISSION

I hereby certify that I am transmitting this correspondence to the Commissioner for Patents at the United States Patent and Trademark Office by telephone facsimile to telephone number (571) 273-8300 on July 5, 2009.

By:

J. Michael Neary

Date: July 5, 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Gerald J. Julien)
Serial No.: 10/505,356) Group A.U. 3618
Filing Date: August 19, 2004) Examiner: John Daniel Walters
Title: Nitinol Ice Blades)

Transmittal Letter
Brief on Appeal

July 5, 2009

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted concurrently herewith are the following documents:

1. Brief on Appeal
2. Credit Card Authorization form for \$15.

Please note that an appeal fee of \$255 was paid for the first appeal in this application on October 16, 2007. The current fee is \$270. The Credit Card Authorization for \$15 submitted herewith is for the difference of the earlier fee paid and the current fee.

53939 Pine Grove Road
La Pine, Oregon 97739
Telephone: (253) 332-9206
FAX: (541) 536-5925

Respectfully submitted,

J. Michael Neary, Reg. No. 25,452
Attorney for Applicant